

Regular Meeting

The regular meeting of the City Council of the City of Fitchburg was held in the Memorial Middle School Library, 615 Rollstone St., Fitchburg, on June 21, 2016. The meeting was called to order by President Kushmerek at 7:02 P.M. The Clerk called the roll and ten (10) members were present. Councillor Bean was absent. The meeting opened with a salute to the Flag led by Councillor Donnelly.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Communication
His Honor the Mayor

Appointment
Letters

Letters of Appointment as follows:

- a. Andrew Cordio as a member of the Energy Commission for a term to expire April 1, 2019.



STEPHEN L. DINATALE
MAYOR

166 BOULDER DRIVE
FITCHBURG, MA 01420
TEL. (978) 829-1801

The City of Fitchburg
Massachusetts
OFFICE OF THE MAYOR

FITCHBURG CITY CLERK
16 JUN 15 10 49

AARON TOURIGNY
CHIEF OF STAFF
ATOURIGNY@FITCHBURGMA.GOV
JOAN DAVID
ADMINISTRATIVE AIDE
JDAVID@FITCHBURGMA.GOV

June 14, 2016

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Dear Honorable Councilors,

I hereby appoint Mr. Andrew Cordio of 825 John Fitch Highway, #12, Fitchburg, MA to serve as a member of the Energy Commission for a term of 3 years, set to expire on April 1, 2019.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stephen L. DiNatale", is written over a horizontal line.

Stephen L. DiNatale
Mayor

City of Fitchburg, June 21, 2016

Communication

His Honor the Mayor

Appointment Letters

b. Reserve Police Officers - Gregory A. Pinkerton, Nathan D. Lamkin, Barry G. Hyvarinen Jr., Liana K. Alicea, Martin Ortiz, Jr.



The City of Fitchburg
Massachusetts
OFFICE OF THE MAYOR

FITCHBURG CITY CLERK

16 JUN 10 09 28

STEPHEN L. DINATALE

MAYOR

166 BOULDER DRIVE
FITCHBURG, MA 01420

TEL: (978) 829-1801

AARON TOURIGNY

CHIEF OF STAFF

ATOURIGNY@FITCHBURGMA.GOV

JOAN DAVID

ADMINISTRATIVE AIDE

JDAVID@FITCHBURGMA.GOV

June 10, 2016

The Honorable City Council
Fitchburg Municipal Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

RE: Appointment of Reserve Police Officers

Dear Honorable Councilors,

I hereby appoint and ask for your confirmation of the following individuals as Permanent Reserve Police Officers for the City of Fitchburg:

Gregory A. Pinkerton [REDACTED]
Nathan D. Lamkin [REDACTED]
Barry G. Hyvarinen Jr. [REDACTED]
Liana K. Alicea [REDACTED]
Martin Ortiz Jr. [REDACTED]

Thank you for your attention to this appointment matter.

Sincerely,

A handwritten signature in cursive script, reading "Stephen L. DiNatale".

Stephen L. DiNatale
Mayor

Appointments read and referred to the Appointments Committee.

Communication

Calvin D. Brooks
City Treasurer

COMMUNICATION FROM DEPARTMENT HEAD

Copy of letter from City Treasurer to Mayor DiNatale
regarding 43 Allen Place.



CALVIN D. BROOKS
Treasurer

City of Fitchburg

OFFICE OF THE TREASURER

166 Boulder Drive
Fitchburg, MA 01420

978-829-1830
FAX 978-829-1971

FITCHBURG CITY CLERK

16 JUN -9 16 11

May 9, 2016

Mayor Stephen L. DiNatale
166 Boulder Drive
Fitchburg, MA 01420

Re: 43 Allen Place
Parcel 51-38 A Case No. 15 TL 000562

Dear Mayor DiNatale:

Our attorney has advised that on May 17, 2016, Land Court issued judgment in the city's tax lien foreclosure case on the above property. Enclosed is a copy of the Judgment in Tax Lien Case, the Property Record Card, and a parcel map. This property includes both land and building. Taxes due on the property, not including interest, are \$11,795.55, and do not include FY2016 property taxes.

This property is not occupied. Representatives from various city departments are currently discussing what to do with the property and will be making a recommendation to you shortly. In the meantime, the city will be taking steps to secure and insure the property.

Thank you.

Sincerely,

Calvin D. Brooks
Treasurer

Enc.

Cc: Council President Michael Kushmerek ✓
Ken Wilson, Chief Assessor
Richard Sarasin, City Auditor
Michelle Shepard, Assistant Treasurer
Vincent Pusateri, City Solicitor
NICE Committee-email

City of Fitchburg,

June 21, 2016

[SEAL]

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

Case No.: 15 TL 000562

JUDGMENT IN TAX LIEN CASE

City of Fitchburg

vs.

Judith Godin

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the City of Fitchburg in Worcester County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	06/28/2007	6524	369		

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER

Deborah J. Patterson
Recorder

Entered: May 17, 2016

Return To: Louison, Costello, Condon & Pfaff
101 Summer Street
Boston, MA 02110

Communication (cont)
Calvin D. Brooks
City Treasurer

Communication (cont)
Calvin D. Brooks
City Treasurer

Unofficial Property Record Card

Page 1 of 1

Unofficial Property Record Card - Fitchburg, MA

General Property Data

Parcel ID 51-38-A	Account Number
Prior Parcel ID -49.215-0.04286	Property Location 43 ALLEN PL
Property Owner GODIN, RAYMOND (TE)	Property Use ONE FAM
GODIN, JUDITH	Most Recent Sale Date 6/30/1981
Mailing Address 43 ALLEN PLACE	Legal Reference 1268-248
City FITCHBURG	Grantor O'BRIEN, WILLIAM J. ETUX
Mailing State MA Zip 01420	Sale Price 10,500
ParcelZoning RC	Land Area 0.083 acres

Current Property Assessment

Land Value 22,100	Building Value 33,000	Total Value 55,100
-------------------	-----------------------	--------------------

Building Description

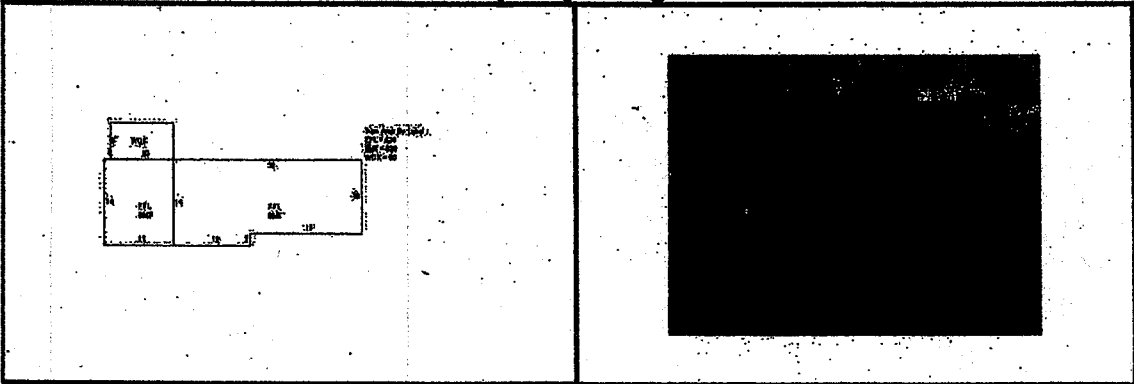
Building Style CONVENT'NL	Foundation Type MASONRY	Flooring Type SOFTWOOD
# of Living Units 1	Frame Type WOOD	Basement Floor N/A
Year Built 1900	Roof Structure GABLE	Heating Type FORCED H/A
Building Grade AVERAGE	Roof Cover ASPHALT SH	Heating Fuel GAS
Building Condition Fair	Siding VINYL	Air Conditioning 0%
Finished Area (SF) 838	Interior Walls PLASTER	# of Bemt Garages 0
Number Rooms 6	# of Bedrooms 4	# of Full Baths 2
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

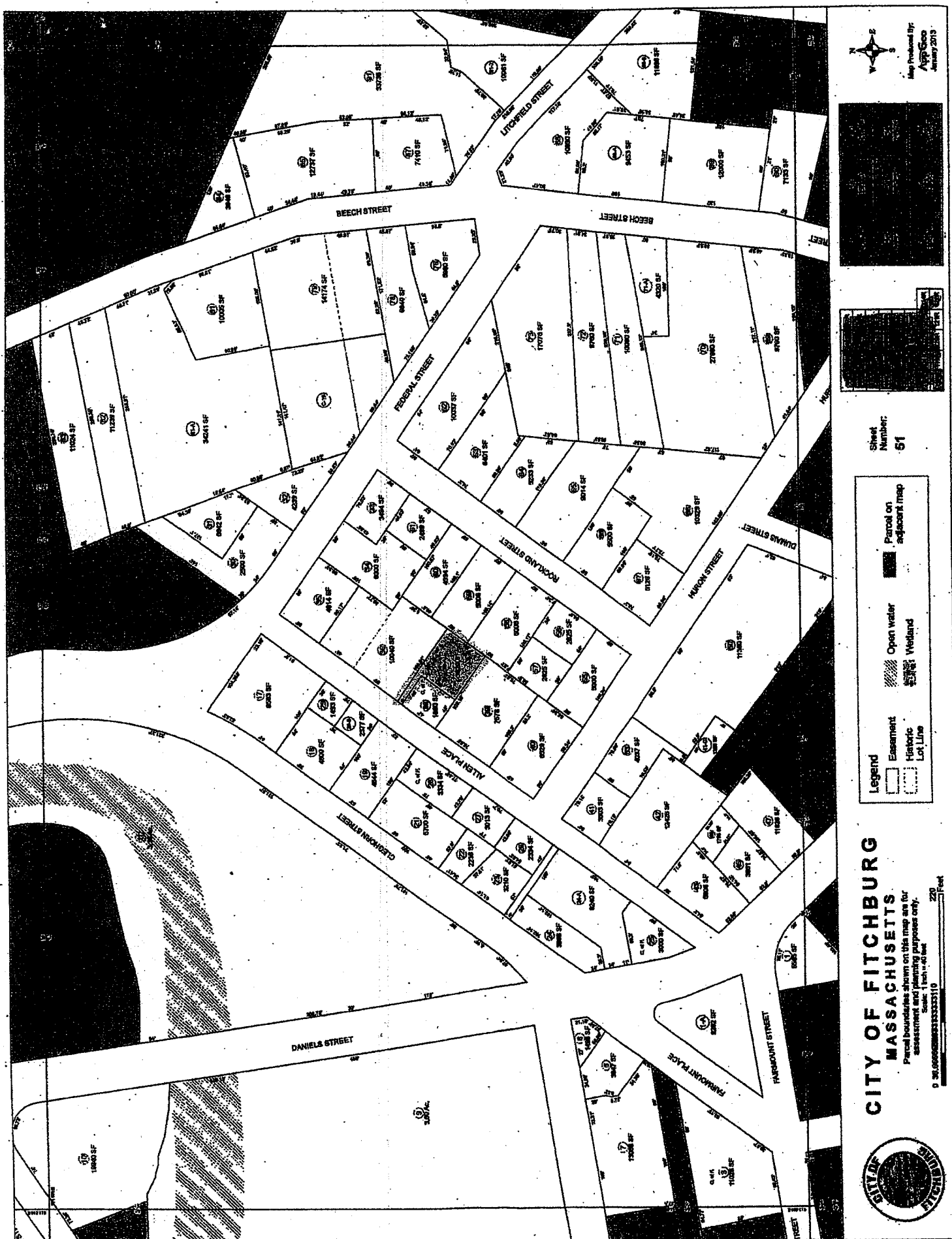
This property contains 0.083 acres of land mainly classified as ONE FAM with a(n) CONVENT'NL style building, built about 1900 , having VINYL exterior and ASPHALT SH roof cover, with 1 unit(s), 6 room(s), 4 bedroom(s), 2 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Communication (cont)
Calvin D. Brooks
City Treasurer



Communication read and placed on file in the City Clerk's Office.

Reports of
CommitteesAppointments
Committee Oral
ReportCity Property
Committee

REPORTS OF COMMITTEES

Appointments Committee - Oral Report
Meeting of June 21, 2016

The Appointments Committee recommended the following Appointment be confirmed:

Re-Appointment: Mrs. Mary Whitney to the Board of Parks Commissioners for a term to expire on April 1, 2021.

Report read. Appointment confirmed by unanimous vote. 10 members present. Board consists of 11 members.

City Property Committee
Meeting of June 14, 2016

The City Property Committee recommended the following Petition be amended to delete "surplus" and replace with "scrap" and be granted as amended:

083-16. Lenny Laakso, DPW Commissioner, to declare items listed as surplus scrap property.

City of
FitchburgDepartment of
Public Works

COMMISSIONER
301 Broad Street
978-829-1910
978-345-9687 FAX

STREETS & PARKS
301 Broad Street
978-829-1900
978-345-9687 FAX

WASTEWATER
Princeton Road
978-345-9622
978-345-9623 FAX

SEWER COLLECTION
301 Broad Street
978-829-1905
978-345-9687 FAX

WATER
1200 Rindge Road
978-345-9616
978-345-9555 FAX

ENGINEERING
301 Broad Street
978-829-1917
978-345-9687 FAX

CEMETERIES
115 Mount Elam Road
978-345-9578
978-345-9585 FAX

Date: April 28, 2016

To: Mayor Stephen L. DiNatale and City Council

From: Lenny R. Laakso, Commissioner

Subject: Scrap Equipment

In accordance with Section 14-6 of the City Code, I have declared the vehicles shown on the attached list to be scrap equipment. I respectfully request approval for disposal of the scrap equipment by the Mayor and City Property Committee of the City Council so it can be advertised for sale and sold by the Purchasing Department.

Copies:

Nancy Wilson, Chief Procurement Officer
Gary Withington, Superintendent of Streets
Jaquelyn Poirier, Cemetery Superintendent
Jeff Murawski, Deputy Commissioner, Wastewater
John Deline, Deputy Commissioner, Water
Calvin Brooks, Treasurer

FITCHBURG CITY CLERK
16 APR 28 08 44

DATA 04/27/16

DEPARTMENT OF PUBLIC WORKS
SCRAP EQUIPMENT INVENTORY

ID #	YEAR	MANUFACTURER & MODEL	VIN #	COMMENTS
CEM	1999	Chevrolet Dump	1GBJK34F9XF036862	Engine beyond repair
CEM	1999	Buick Regal	2G4WB52K8X1602140	Engine and transmission
CEM	1989	GMC TV3100 Dump	1GDJV34K5KJ501932	Transmission; body damage
ENG	1998	Chevrolet Utility	1GNEK13R1WR108204	Frame rusted through and broke
S-3	1997	Elgin Pelican Sweeper	S8450D	Transmission; Unused 4 years
T-51	1997	International Dump	1HTGCADT6VH434273	Transmission; Unused 4 years
L	1997	Hyundai Loader	WC271	Engine; Hydraulic Pump; Trans.
T-50	1995	Ford Dump	1FDZU82E8SVA66445	Transmission; Underpowered
T-2	1989	GMC Cube Van	2GDHG31K0K4523052	Frame rusted through and broke
T-5	1989	GMC Cube Van	2GDHG31K1K4518720	Frame rusted through
T-56	1987	International Dump	1HTZLDBR1HHA11741	Needs cab; Hyd pump; tanks
WW	1999	Ford Ranger Pick-Up	1FTYR11V3XTA27422	Frame rusted through
T3000	1996	Chevrolet Pick-Up	1GCDT14X7TK198644	Frame rusted through
T-54	1981	GMC Van	2GDGK24MB1542769	Frame rusted through
D	1974	International TD-8C Dozer	SIN 1995	Engine
Parking	2001	Chevrolet Silverado	1GCHK24U21E238734	Frame rusted; brakelines shot
Parking		Clarke American-Lincoln Sweeper	Model 577-506; Serial # 641124	Out of service
Bldg	???	Chev S-10 Pick-Up/Utility	1GCDT14X1TK197260	Frame rusted; body damage
W-59	1994	Chevrolet Astro Van	1GCDML9Z7RB247367	Needs extensive mechanical repair, costs exceed value of vehicle
W-8	1997	Chevrolet Blazer	1GNDT13W2VK209290	Needs extensive mechanical repair, costs exceed value of vehicle
W-56	1998	Chevrolet Astro Van	1GCDM1WOWB146172	Structural rust
W-14	2001	Chevrolet Cavalier	1G1JC524817422088	Structural rust
W-29	2003	Chevrolet Pick Up	1GCEK14V13Z312758	Structural rust, Needs extensive mechanical repair
		All vehicles will not pass Mass. Safety Inspection		

Reports of
Committees

City Property
Committee (cont)

Report read and accepted. Petition granted as amended by
unanimous vote.
10 members present. Board consists of 11 members.

Reports of
Committees

City Property
Committee (cont)

The City Property Committee recommended the following Petition be granted:

103-16. Calvin Brooks, City Treasurer, to request the City Solicitor to draft a deed in lieu of foreclosure, pursuant to MGL Ch. 60 Section 77C for a parcel on Princeton Road owned by Anthony J. LaCava, Family Trust (parcel S53-8-1).

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

The undersigned Petition your Honorable Body to

Request the City Solicitor to draft a deed in lieu of foreclosure, pursuant to M.G.L. Chapter 60, section 77C, for a parcel on Princeton Road owned by Anthony J. LaCava Family Trust, 460 Totten Pond Road, Waltham, MA 02451, to wit., parcel S53-8-1.

An Instrument of Taking were signed on April 22, 2011, for failure to pay FY2010 taxes. Subsequent taxes have not been paid and have been added to the tax account. This parcel is across the street from Great Wolf Lodge.

Respectfully submitted,



Calvin D. Brooks
Treasurer

FITCHBURG CITY CLERK
16 MAY - 2 10 53

Reports of
Committees

City Property
Committee (cont)



CALVIN D. BROOKS
Treasurer

City of Fitchburg

OFFICE OF THE TREASURER

166 Boulder Drive
Fitchburg, MA 01420

978-829-1830
FAX 978-829-1971

June 9, 2016

Councilor Jody Joseph
166 Boulder Drive
Fitchburg, MA 01420

Re: Property Committee—Council Item 103-2016

Dear Councilor:

Please accept my apology for not being able to attend the Property Committee meeting on June 14, 2016. I will be at a three day Treasurer-Collector conference on Cape Cod.

The parcel being considered is on Princeton Road, parcel S53-8-1. It was originally part of the larger hotel property and became separated from the main parcel when Princeton Road was rerouted as part of the Route 2 reconstruction many years ago. When the hotel property was sold to Great Wolf, this parcel was not included because it is now across the street from the rest of the hotel property.

Real estate taxes have not been paid on this parcel for many years. The city undertook a tax taking on April 22, 2011, and its next step would be foreclosure in Land Court. I notified the owner in November, 2015 that I was ready to start foreclosure proceedings. In response, I received the enclosed request from the owners asking that the city accept the parcel in lieu of foreclosure per M.G.L. Chapter 60, section 77C.

The City Solicitor would do a title search to be sure there are no other liens or attachments to the parcel. Accepting a deed in lieu of foreclosure would save the city the time and expense of foreclosure in Land Court. My recommendation is for City Council to grant the petition and request the City Solicitor to draft a deed in lieu of foreclosure.

Thank you for your consideration.

Sincerely,

Calvin D. Brooks
Treasurer

Reports of
Committees

City Property
Committee (cont)

Royal Plaza Fitchburg LLC

391 Totten Pond Road

Suite 403

Waltham, MA 02451

December 15, 2015

Mr. Calvin D. Brooks
Treasurer
City of Fitchburg
166 Boulder Drive
Fitchburg, MA 01420

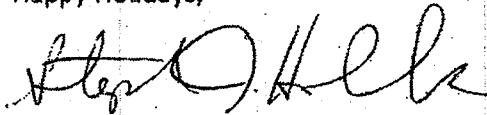
Re: Parcel: 0553-0008-1

Dear Mr. Brooks,

Thank you for taking my call last week regarding the property at 0 Princeton Road, Fitchburg. I have discussed our conversation with the owner of the property. At this point we'd like to ask the City of Fitchburg if we can donate the parcel to the City in lieu of paying the real estate taxes. I believe you mentioned you had to bring it to City Council for approval. Please let me know if this is something the City is interested in.

I may be reached at sholbrook@lacavacompanies.com or at 781-890-4464 ext. 13.

Happy Holidays,

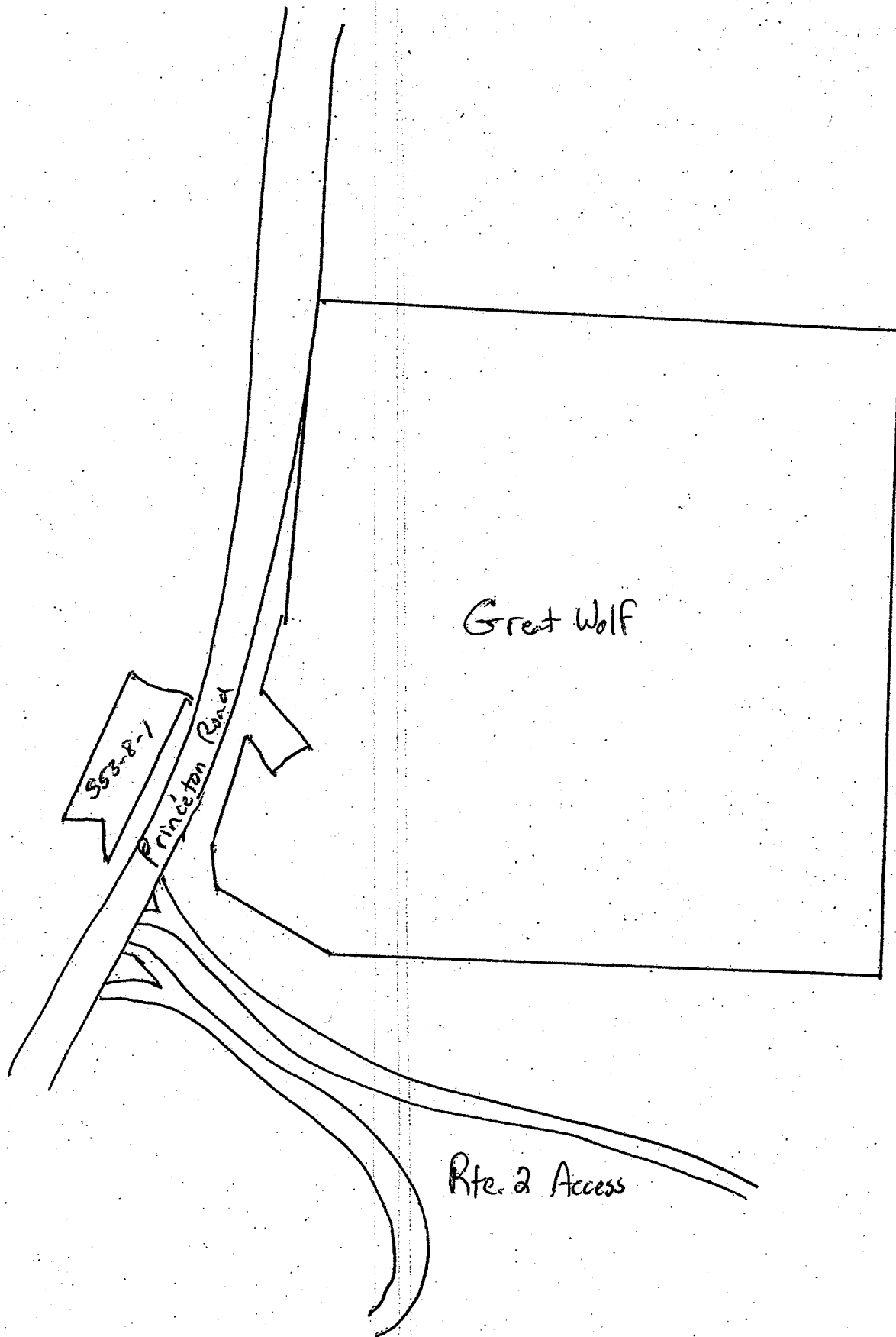


Stephen J. Holbrook

Vice President of Finance

Reports of
Committees

City Property
Committee (cont)



Report read and accepted. Petition granted by unanimous vote.
10 members present. Board consists of 11 members.

Reports of
Committees

Public Safety
Committee

Public Safety Committee
Meeting of June 14, 2016

The Public Safety Committee recommended the following Petition be given leave to withdraw:

039-16. Class II Car Dealer License: Carlos Bismark Terrero dba Millennium Motors, 34 Bemis Road.

Report read and accepted. Petition given leave to withdraw by unanimous vote. 10 members present. Board consists of 11 members.

ORDER-OTHER

089-16. ORDER: Laying out Turkey Hill Road and Goodfellow Drive and establish as public streets.
(Referencing petition 215-15. Under Hearings Category)

City of Fitchburg

FITCHBURG CITY CLERK

ORDERED: -- That

In City Council

16 MAY 11 08 03

WHEREAS, in the opinion of the City Council of the City of Fitchburg common convenience and necessity require that Turkey Hill Road and Goodfellow Drive should be laid out as public streets or ways of the said City, under the provisions of law authorizing same, from the intersection of Turkey Hill Road with Mt. Elam Road, continuing westerly, to the intersection of Turkey Hill Road with its intersection with Goodfellow Drive, a circular road, and thereafter, around Goodfellow Drive, all as more particularly hereinafter described; and for that purpose it is necessary to take, an easement in, the parcel of land hereinafter described, and

WHEREAS, a public hearing, in the manner provided by law, has been duly held in connection with the proposed laying out of said public street or way, it is therefore

ORDERED that Turkey Hill Road and Goodfellow Drive be and are hereby laid out and established as public streets or ways of the said City, under the provisions of law authorizing same according to the plans and profiles of the said Turkey Hill Road and Goodfellow Drive, signed by the Commission of Public Works, dated May 2, 2016, and recorded in the office of the said Commissioner as Plan and Profile No. 9-D-9727, which plan and profile is hereby made a part hereof: See also plan recorded in the Worcester North Registry of Deeds at Book 444, Page 22, where Turkey Hill Road is shown as Proposed Road "A" and Goodfellow Drive is shown as Proposed Road "B", and

WHEREAS, the City Council has made no appropriation of monies for the purposes of taking said easement in the following described parcel of land, as same is being donated to the City of Fitchburg, it is hereby

ORDERED, that an easement over the following described parcel of land with the trees thereon, and structures affixed thereto, be and the same is hereby taken for said public street or way:---

(Description of Land Taken)

See metes and bounds description attached hereto as Exhibit "A".

It is also ordered that the following described parcel of land is taken for a temporary construction easement: Said easement to expire upon the completion of construction work: NONE.

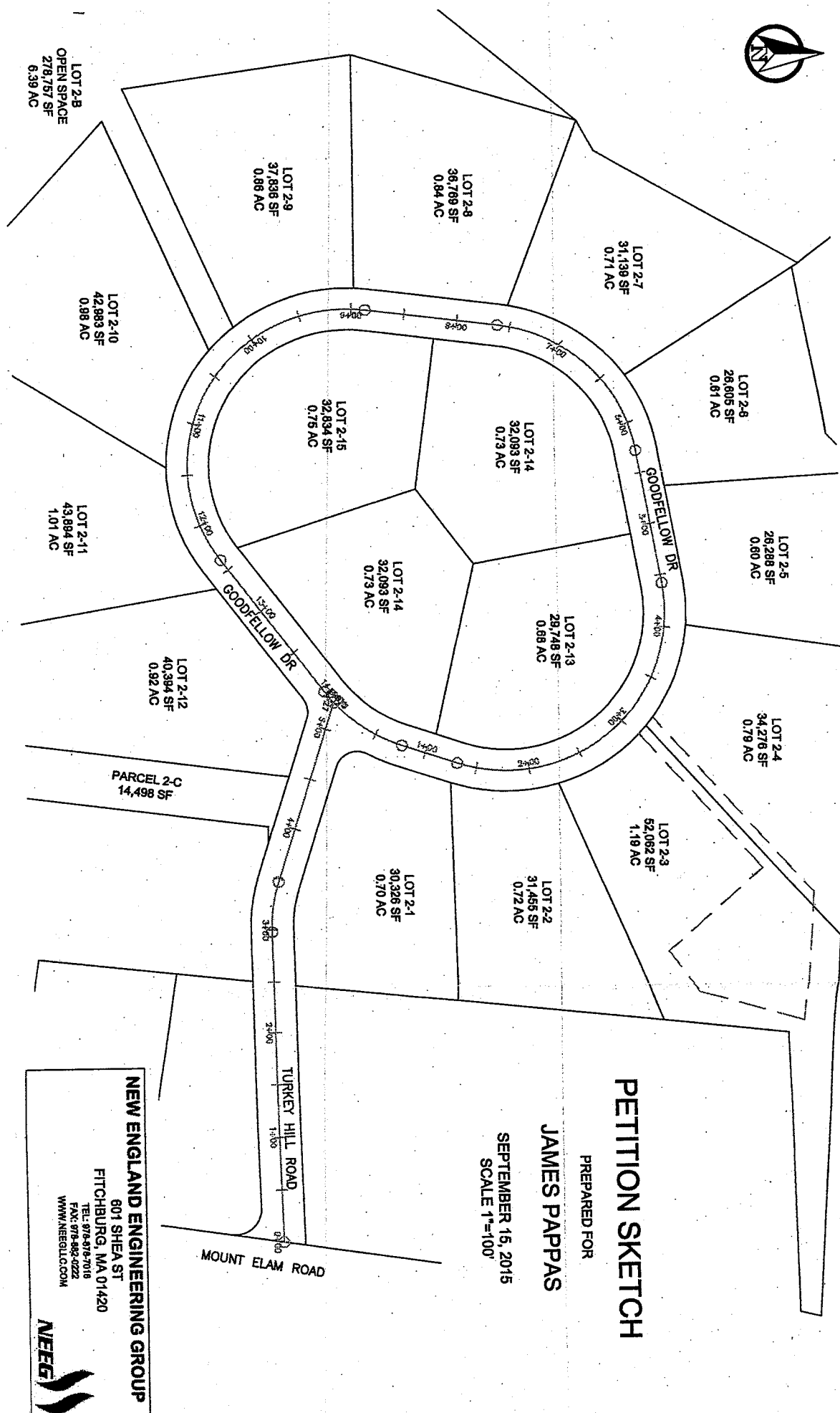
The separate lots of the above described taking with the owners and areas are as follows:

Owner	Lot	Area
Alex Developers, LLC	Turkey Hill Road and Goodfellow Drive	76,935 Sq. Ft. combined

and it is further

ORDERED that the following persons whose property over which an easement has been taken or who are otherwise entitled to damages on account of such taking be awarded, and they hereby are awarded, as the damages sustained by them the following amount severally set against their names.

Names	Parcel #	Amounts
Alex Developers, LLC	Turkey Hill Road and Goodfellow Drive	\$0.00



Reports of
Committees

Public Safety
Committee (cont)

EXHIBIT A

CERTAIN ROADWAYS ON THE WESTERLY SIDE OF MT. ELAM IN THE CITY OF FITCHBURG, IN THE COUNTY OF WOCESTER, COMMONWEALTH OF MASSACHUSETTS, AS SHOWN ON PLANS ENTITLED "AS-BUILT PLAN (A1, B1, B2) FITCHBURG, MA", PREPARED FOR JAMES PAPPAS, PREPARED BY NEW ENGLAND ENGINEERING, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING: AT A POINT AT A BOUND AT THE WEST SIDE OF MT. ELAM ROAD AND NORTH SIDE OF TURKEY HILL;

THENCE: BEARING S 88-40-54 W A DISTANCE OF 301.29 FEET ALONG TURKEY HILL ROAD TO A BOUND AT A TANGENTIAL CURVE;

THENCE: ALONG A CURVE TO THE RIGHT ALONG TURKEY HILL, HAVING A RADIUS OF 130.000 FEET, A DISTANCE OF 42.73 FEET;

THENCE: BEARING N 72-29-7 W ALONG TURKEY HILL, A DISTANCE OF 122.150 FEET A TANGENTIAL CURVE;

THENCE: ALONG SAID CURVE TURNING TO THE RIGHT, ALONG TURKEY HILL, HAVING A RADIUS OF 20.00 FEET, FOR A DISTANCE OF 35.20 FEET TO A BOUND;

THENCE: ALONG A CURVE TO THE LEFT, ALONG GOODFELLOW DRIVE, HAVING A RADIUS OF 170.00 FEET A DISTANCE OF 29.38 FEET TO A BOUND;

THENCE: N 18° 27' 46" E FOR A DISTANCE OF 54.48 FEET GOODFELLOW DRIVE TO THE A BOUND AT A TANGENTIAL CURVE BEGINNING OF A CURVE;

THENCE: ALONG SAID CURVE TURNING TO THE LEFT THROUGH HAVING A RADIUS OF 170.00 FEET, AND FOR A DISTANCE OF 352.18 FEET TO A TANGENTIAL LINE;

THENCE: S 79° 46' 00" W ALONG GOODFELLOW DRIVE FOR A DISTANCE OF 129.86 FEET TO THE BEGINNING OF A TANGENTIAL CURVE;

THENCE: ALONG SAID CURVE TURNING TO THE LEFT ALONG GOODFELLOW DRIVE, HAVING A RADIUS OF 170.00 FEET, FOR A DISTANCE OF 215.06 FEET TO A BOUND AND A TANGENTIAL CURVE;

THENCE: S 07° 17' 02" W ALONG GOODFELLOW DRIVE FOR A DISTANCE OF 125.01 FEET TO, A TANGENTIAL CURVE;

THENCE: ALONG SAID CURVE TURNING TO THE LEFT, ALONG GOODFELLOW DRIVE HAVING A RADIUS OF 170.00 FEET, FOR A DISTANCE OF 398.56 FEET TO A TANGENTIAL LINE;

Reports of
CommitteesPublic Safety
Committee (cont)

THENCE: N 52° 57' 21" E FOR A DISTANCE OF 151.49' FEET TO THE BEGINNING OF A CURVE;

THENCE: ALONG SAID CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, FOR A DISTANCE OF 19.04 FEET TO A NON-TANGENTIAL LINE;

THENCE: BEARING S 72-29-7 E ALONG TURKEY HILL ROAD A DISTANCE OF 157.93 FEET TO A TANGENTIAL CURVE;

THENCE: ALONG SAID CURVE TURNING TO THE LEFT ALONGT TURKEY HILL ROAD, HAVING A RADIUS OF 170.00 FEET, FOR A DISTANCE OF 55.88 FEET TO A BOUND AND A TANGENTIAL CURVE;

THENCE: BEARING N 88-40-7 E ALONG TURKEY HILL DRIVE. A DISTANCE OF 264.60 FEET TO A TANGENTIAL CURVE;

THENCE: ALONG SAID CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25 FEET, FOR A DISTANCE OF 43.58 FEET TO A BOUND;

THENCE: BEARING N 8-33-30 E A DISTANCE OF 70.31 FEET TO THE POINT OF BEGINNING.

THE ROADWAY RIGHT OF WAY BEING 40 FEET IN WIDTH, AND CONTAINING AN AREA 76,935 SF (1.77 Ac).

Pappas: Turkey Hill & Goodfellow.StreetEasement.5.9.16

Hearing held. Order adopted by unanimous vote. 10 members present. Board consists of 11 members.
Order signed by the Mayor June 22, 2016.

Orders-Finance

ORDERS-FINANCE

- 189-16. ORDERED THAT: There be and hereby is transferred the sum of SIX THOUSAND SIX HUNDRED DOLLARS (\$6,600) from AIRPORT EXPENSES to accounts as follows: \$6,000 to AIRPORT PERSONAL SERVICES OVERTIME and \$600 to AIRPORT PERSONAL SERVICES.
- 190-16. ORDERED THAT: Consistent with MGL Chapter 43, Section 30, there be and hereby is appropriated the sum of THIRTY THOUSAND DOLLARS (\$30,000), same to be charged against AVAILABLE FUNDS and credited to DPW -HIGHWAY GENERAL EXPENSES (RIGHT OF WAY TAKINGS) for the purpose of taking temporary and permanent easements for the South Street Elementary School Right of Way Improvement Project.

VINCENT P. PUSATERI, II
CITY SOLICITOR
128 PRICHARD STREET
FITCHBURG, MA 01420
TELEPHONE: (978) 342-6081
FAX: (978) 343-0600
EMAIL: vpusateri@pusaterilaw.com



MARK A. GOLDSTEIN
ASSISTANT CITY SOLICITOR
144 CENTRAL STREET
GARDNER, MA 01440
TELEPHONE: (978) 632-1025
FAX: (978) 632-1236
EMAIL: attorney@markgoldsteinlaw.com

LAW DEPARTMENT OF THE CITY OF FITCHBURG

June 13, 2016

Mayor Stephen L. DiNatale
166 Boulder Drive
Fitchburg Ma 01420

RE: South Street Elementary School Right of Way Improvement Project

Dear Mr. Mayor,

Kindly be advised that I require an appropriation, by two thirds vote of the entire council in order to conduct temporary and permanent takings along South Street and Electric Avenue in connection with the South Street Elementary School Right of Way Improvement Project.

Please ask the auditor to draft an order for \$30,000.00 from free cash for the purpose of taking the properties from free cash in time for the next council meeting.

I have attached for your review a copy of the plan and a spread sheet identifying the properties. Should you have any questions please do not hesitate to let me know.

Very truly yours,

Vincent P. Pusateri II, Esq.

VPP/mlv

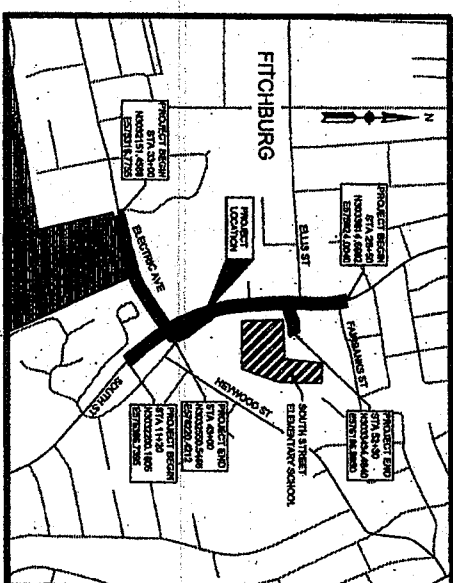
Encl.

DATE	PROJ. AND FINAL NO.	QUEST. NO.	QUEST. SHEET NO.
1/1/11	1	1	2

FINAL RIGHT OF WAY
TITLE SHEET

FEDERAL AID PROJECT NO.


INDEX	
SHEET NO.	DESCRIPTION
1	TITLE SHEET & INDEX
2-3	TYPICAL SECTIONS
4	PARTIAL SUMMARY SHEET
5	LOCATION PLAN
6-9	PROPERTY PLANS

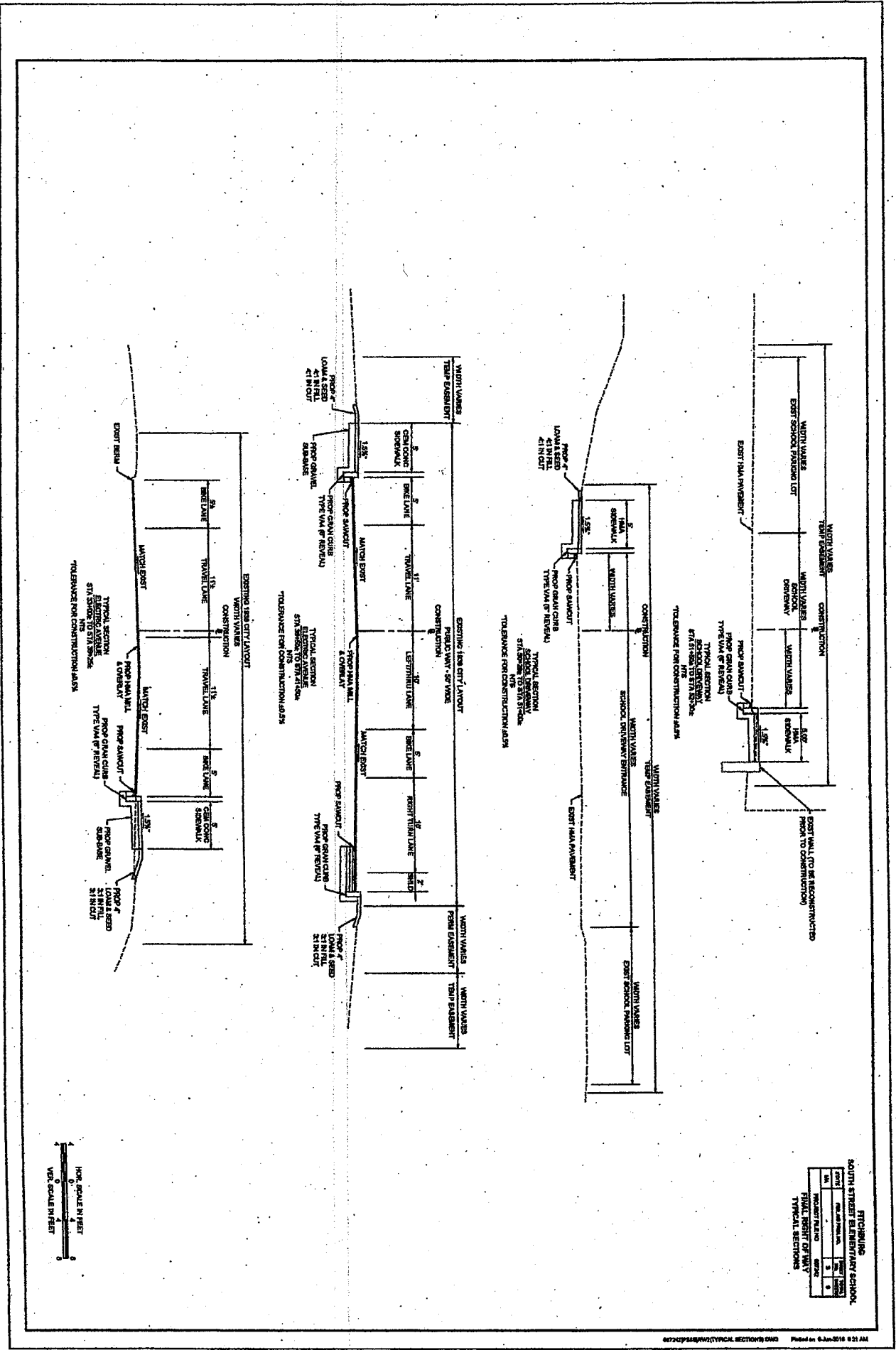


LENGTH OF PROJECT = 3,200 FEET = 0.608 MILES

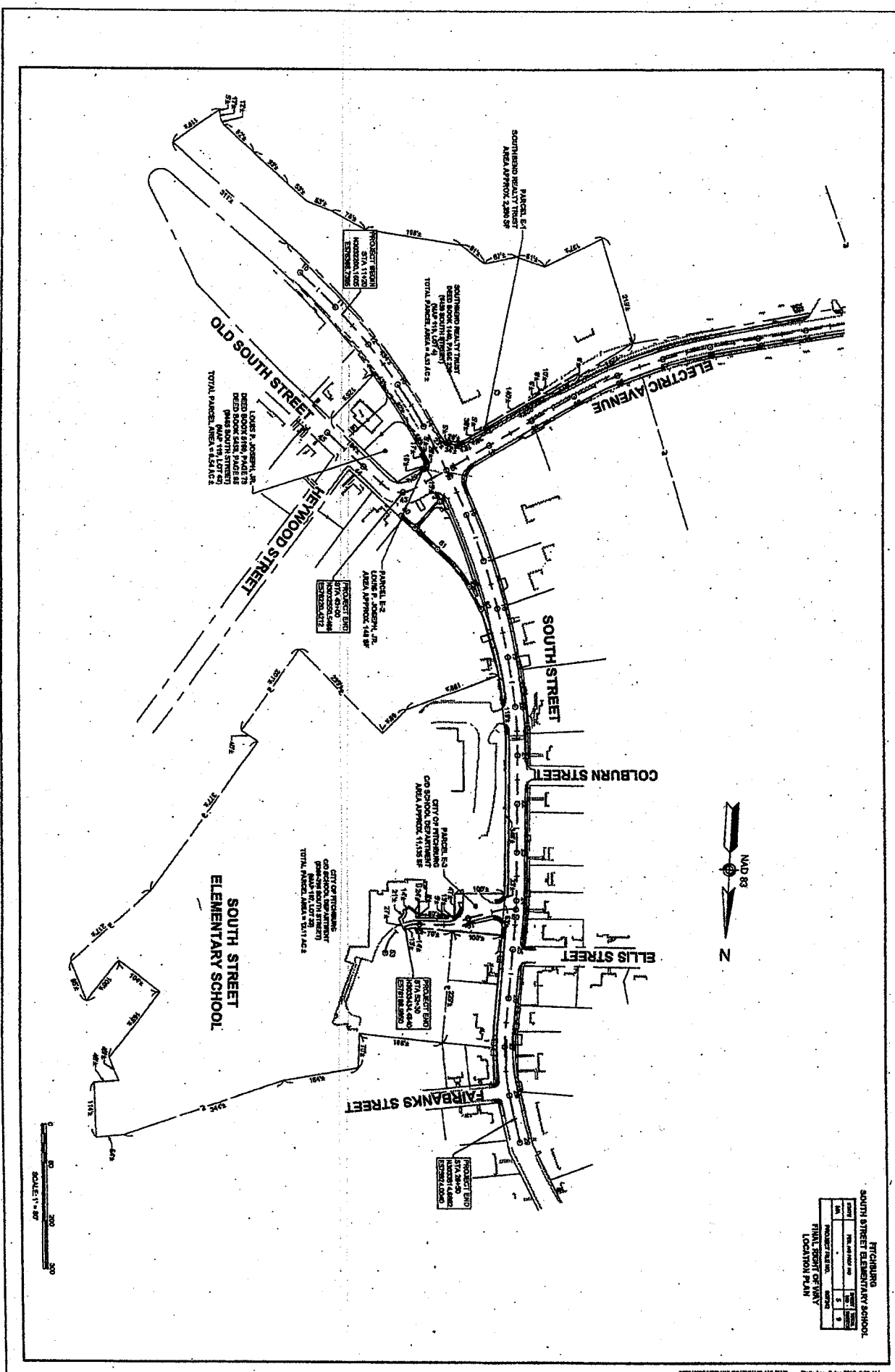
DESIGN DESIGNATION		SQUAT RECTANGULAR		ELECTRIC ARCWISE	
DESIGN SPEED	30 MPH	DESIGN SPEED	30 MPH	DESIGN SPEED	30 MPH
AUT DRIB	16,000 YPD	AUT DRIB	16,000 YPD	AUT DRIB	15,647 YPD
AUT GROM	11,200 YPD	AUT GROM	11,200 YPD	AUT GROM	17,017 YPD
R	8.0%	R	8.0%	R	6.7%
D	54.4% DB	D	54.4% DB	D	87.2% DB
T (GREEN HOLDING	1.6%	T (GREEN HOLDING	1.6%	T (GREEN HOLDING	3.5%
T (AVERAGE DBM)	1.2%	T (AVERAGE DBM)	1.2%	T (AVERAGE DBM)	2.0%
DMV	800 YPH	DMV	800 YPH	DMV	1,170 YPH
DDMV	400 YPH	DDMV	400 YPH	DDMV	700 YPH
FUNCTIONAL CLASSIFICATION	URBAN INTERMEDIATE	FUNCTIONAL CLASSIFICATION	URBAN INTERMEDIATE	FUNCTIONAL CLASSIFICATION	URBAN INTERMEDIATE

DATE	DESCRIPTION	NEW #
4/1/15	POLE SUBSTITUT.	3
4/1/15	NOV. SUBSTITUT.	2
2/1/15	REMOVED 207TH SUBSTITUT.	1
1/1/15	207TH SUBSTITUT.	-

	
RECOMMENDED FOR APPROVAL	
CHIEF ENGINEER APPROVED _____	DATE _____
TEL. NO. 67 Glenview Road Emerson, N.J. 07630 RECALL SERVICE DEPARTMENT APPROVED _____	
CRASHED ADMINISTRATION DATE _____	MASSPORT ADMINISTRATION DATE _____



FITCHBURG SOUTH STREET ELEMENTARY SCHOOL PAID REPORT OF MAY ROW PARCEL SUMMARY									
UNRECORDED LAND									
PARCEL NO.	PLAT/DEED NO.	TITLE/HOLDER	RECORDED		EASEMENT	TOTAL PARCEL AREA (sq. ft.)	REMARKS		
			DEED BOOK NO.	PAGE NO.					
TS-1	67	SOUTHWOOD REALTY TRUST	1440	256	TS-AP	2,742	FOR WAREHOUSE REPAIR CONSTRUCTION & SEWAL CONSTRUCTION & TREE PROTECTION & SITE GRADING		
TS-2	67	THE PROFESSIONAL CONSTRUCTION	1403	300	TS-AP	478	FOR WAREHOUSE REPAIR & SEWAL CONSTRUCTION & DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-3	7	LOUIS F. JOSEPH, JR.	816, 848	71, 81	TS-AP	81	FOR DRIVEWAY CONSTRUCTION & TREE PROTECTION FENCE & SITE GRADING		
TS-4	7	QUINCY PALMER, INC.	2622	156	TS-AP	3,725	FOR WAREHOUSE REPAIR & SEWAL CONSTRUCTION & DRIVEWAY RECONSTRUCTION & TREE PROTECTION & SITE GRADING		
TS-5	7/2	BRUCE J. & SARAH CONNOR	408	248	TS-AP	2,254	FOR COMPOST FILTER TIRE & DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-6	8	BENJAMIN L. LAROCHE	522	73	TS-AP	625	FOR SEWAL CONSTRUCTION & DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-7	8	RAYMOND A. & ELAINE M. LEBLANC	1377	141	TS-AP	1,413	FOR SEWAL CONSTRUCTION & DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-8	8	ROBERT S. LAFLEUR, JR.	8104	154	TS-AP	1,413	FOR SEWAL CONSTRUCTION & DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-9	8	CITY OF FITCHBURG CO. SCHOOL DEPARTMENT	1827	402	TS-AP	3,446	FOR SEWAL & WAREHOUSE REPAIR CONSTRUCTION & DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-10	8	ALBERT A. & MARTHA A. LAFLETTE	2004	30	TS-AP	302	FOR SEWAL & WAREHOUSE REPAIR CONSTRUCTION & DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-11	8	PAUL R. & LYNN G. ST. GERMAIN	3117	328	TS-AP	73	FOR DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-12	8	CARL F. & DAVID M. COOCH	2406	136	TS-AP	660	FOR DRIVEWAY & WALKWAY RECONSTRUCTION & SITE GRADING		
TS-13	9	MICHAEL A. & L. G. WARDEN	688	140	TS-AP	609	FOR DRIVEWAY & WALKWAY RECONSTRUCTION & TREE PROTECTION FENCE & SITE GRADING		
TS-14	9	BRANDY & MARIE J. DUNN	1403	304	TS-AP	300	FOR DRIVEWAY & WALKWAY RECONSTRUCTION & TREE PROTECTION FENCE & SITE GRADING		
TS-15	9	GERALD M. & DONNA M. LAROSE	644	21	TS-AP	381	FOR DRIVEWAY RECONSTRUCTION & TREE PROTECTION FENCE & SITE GRADING		
TS-16	9	SEBASTIAN COLOMBO	5019	66	TS-AP	1,913	FOR DRIVEWAY & WALKWAY RECONSTRUCTION & SEWAL CONSTRUCTION & ROOT PRUNING & SITE GRADING		
TS-17	9	THEA HOLDINGS, LLC	5019	216	TS-AP	448	FOR DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-18	9	UNIVERSITY HOLDINGS, LLC	748	226	TS-AP	870	FOR SEWAL & DRIVEWAY RECONSTRUCTION & SITE GRADING		
TS-19	9	CATHERINE VILLAGE TOWNHOUSE CONDOMINIUMS	688	274	TS-AP	598	FOR DRIVEWAY RECONSTRUCTION & TREE PROTECTION FENCE & SITE GRADING		
TS-20	9	ROBERT G. & MARIE F. J. MARTEL	888, 890	141, 51	TS-AP	302	FOR SEWAL RECONSTRUCTION & SITE GRADING		
TS-21	9	PHILIP A. & BEVERLY N. PERON	269	219	TS-AP	400	FOR SEWAL RECONSTRUCTION & SITE GRADING		
TS-24	7		104	229	TS-AP	40			
RECORDED LAND									
PARCEL NO.	PLAT/DEED NO.	TITLE/HOLDER	RECORDED		EASEMENT	TOTAL PARCEL AREA (sq. ft.)	REMARKS		
			DOCUMENT NO.	CERTIFICATE NO.					
TS-19	9	EVAN G. COFFET & JANEY A. DEVEREAUX	7649	1811	TS-AP	87	FOR DRIVEWAY RECONSTRUCTION & ROOT PRUNING & SITE GRADING		
TS-20	9	TOOTH, LITTON & DENNIS C. LEBLANC	1180	1480	TS-AP	1,117	FOR DRIVEWAY RECONSTRUCTION & SITE GRADING		
UNRECORDED LAND									
PARCEL NO.	PLAT/DEED NO.	TITLE/HOLDER	RECORDED		EASEMENT	TOTAL PARCEL AREA (sq. ft.)	REMARKS		
			DEED BOOK NO.	PAGE NO.					
E-1	67	SOUTHWOOD REALTY TRUST	1440	256	TS-AP	2,300	FOR TRAILER SEWAL CONSTRUCTION & FUTURE MAINTENANCE WAREHOUSE REPAIR & SEWAL CONSTRUCTION & TREE PROTECTION & SITE GRADING		
E-2	7	LOUIS F. JOSEPH, JR.	816, 848	71, 81	TS-AP	148	FOR TRAILER SEWAL CONSTRUCTION & FUTURE MAINTENANCE WAREHOUSE REPAIR & SEWAL CONSTRUCTION & TREE PROTECTION & SITE GRADING		
E-3	8	CITY OF FITCHBURG CO. SCHOOL DEPARTMENT	1387	422	TS-AP	11,135	FOR SEWAL RECONSTRUCTION & SITE GRADING & FUTURE MAINTENANCE		

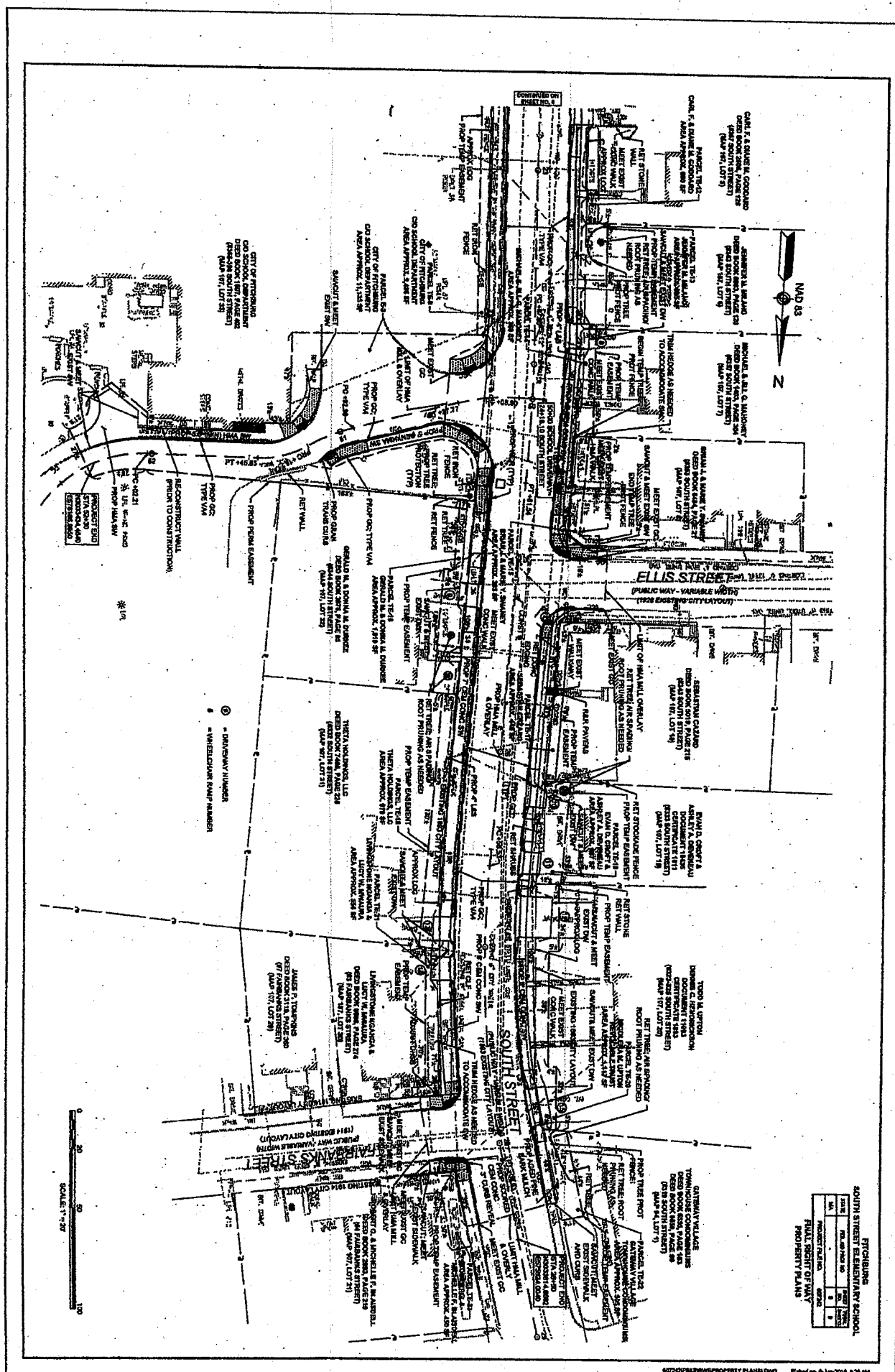


Orders-Finance
(cont)



PROPERTY PLANS

NO.	OWNER	AREA	REMARKS
1	THE CITY OF PITTSBURGH	1.00	SCHOOL BUILDING
2	THE CITY OF PITTSBURGH	2.00	PARKING LOT
3	THE CITY OF PITTSBURGH	3.00	PLAYGROUND
4	THE CITY OF PITTSBURGH	4.00	WALKWAY
5	THE CITY OF PITTSBURGH	5.00	WALKWAY
6	THE CITY OF PITTSBURGH	6.00	WALKWAY
7	THE CITY OF PITTSBURGH	7.00	WALKWAY
8	THE CITY OF PITTSBURGH	8.00	WALKWAY
9	THE CITY OF PITTSBURGH	9.00	WALKWAY
10	THE CITY OF PITTSBURGH	10.00	WALKWAY
11	THE CITY OF PITTSBURGH	11.00	WALKWAY
12	THE CITY OF PITTSBURGH	12.00	WALKWAY
13	THE CITY OF PITTSBURGH	13.00	WALKWAY
14	THE CITY OF PITTSBURGH	14.00	WALKWAY
15	THE CITY OF PITTSBURGH	15.00	WALKWAY
16	THE CITY OF PITTSBURGH	16.00	WALKWAY
17	THE CITY OF PITTSBURGH	17.00	WALKWAY
18	THE CITY OF PITTSBURGH	18.00	WALKWAY
19	THE CITY OF PITTSBURGH	19.00	WALKWAY
20	THE CITY OF PITTSBURGH	20.00	WALKWAY
21	THE CITY OF PITTSBURGH	21.00	WALKWAY
22	THE CITY OF PITTSBURGH	22.00	WALKWAY
23	THE CITY OF PITTSBURGH	23.00	WALKWAY
24	THE CITY OF PITTSBURGH	24.00	WALKWAY
25	THE CITY OF PITTSBURGH	25.00	WALKWAY
26	THE CITY OF PITTSBURGH	26.00	WALKWAY
27	THE CITY OF PITTSBURGH	27.00	WALKWAY
28	THE CITY OF PITTSBURGH	28.00	WALKWAY
29	THE CITY OF PITTSBURGH	29.00	WALKWAY
30	THE CITY OF PITTSBURGH	30.00	WALKWAY
31	THE CITY OF PITTSBURGH	31.00	WALKWAY
32	THE CITY OF PITTSBURGH	32.00	WALKWAY
33	THE CITY OF PITTSBURGH	33.00	WALKWAY
34	THE CITY OF PITTSBURGH	34.00	WALKWAY
35	THE CITY OF PITTSBURGH	35.00	WALKWAY
36	THE CITY OF PITTSBURGH	36.00	WALKWAY
37	THE CITY OF PITTSBURGH	37.00	WALKWAY
38	THE CITY OF PITTSBURGH	38.00	WALKWAY
39	THE CITY OF PITTSBURGH	39.00	WALKWAY
40	THE CITY OF PITTSBURGH	40.00	WALKWAY
41	THE CITY OF PITTSBURGH	41.00	WALKWAY
42	THE CITY OF PITTSBURGH	42.00	WALKWAY
43	THE CITY OF PITTSBURGH	43.00	WALKWAY
44	THE CITY OF PITTSBURGH	44.00	WALKWAY
45	THE CITY OF PITTSBURGH	45.00	WALKWAY
46	THE CITY OF PITTSBURGH	46.00	WALKWAY
47	THE CITY OF PITTSBURGH	47.00	WALKWAY
48	THE CITY OF PITTSBURGH	48.00	WALKWAY
49	THE CITY OF PITTSBURGH	49.00	WALKWAY
50	THE CITY OF PITTSBURGH	50.00	WALKWAY
51	THE CITY OF PITTSBURGH	51.00	WALKWAY
52	THE CITY OF PITTSBURGH	52.00	WALKWAY
53	THE CITY OF PITTSBURGH	53.00	WALKWAY
54	THE CITY OF PITTSBURGH	54.00	WALKWAY
55	THE CITY OF PITTSBURGH	55.00	WALKWAY
56	THE CITY OF PITTSBURGH	56.00	WALKWAY
57	THE CITY OF PITTSBURGH	57.00	WALKWAY
58	THE CITY OF PITTSBURGH	58.00	WALKWAY
59	THE CITY OF PITTSBURGH	59.00	WALKWAY
60	THE CITY OF PITTSBURGH	60.00	WALKWAY
61	THE CITY OF PITTSBURGH	61.00	WALKWAY
62	THE CITY OF PITTSBURGH	62.00	WALKWAY
63	THE CITY OF PITTSBURGH	63.00	WALKWAY
64	THE CITY OF PITTSBURGH	64.00	WALKWAY
65	THE CITY OF PITTSBURGH	65.00	WALKWAY
66	THE CITY OF PITTSBURGH	66.00	WALKWAY
67	THE CITY OF PITTSBURGH	67.00	WALKWAY
68	THE CITY OF PITTSBURGH	68.00	WALKWAY
69	THE CITY OF PITTSBURGH	69.00	WALKWAY
70	THE CITY OF PITTSBURGH	70.00	WALKWAY
71	THE CITY OF PITTSBURGH	71.00	WALKWAY
72	THE CITY OF PITTSBURGH	72.00	WALKWAY
73	THE CITY OF PITTSBURGH	73.00	WALKWAY
74	THE CITY OF PITTSBURGH	74.00	WALKWAY
75	THE CITY OF PITTSBURGH	75.00	WALKWAY
76	THE CITY OF PITTSBURGH	76.00	WALKWAY
77	THE CITY OF PITTSBURGH	77.00	WALKWAY
78	THE CITY OF PITTSBURGH	78.00	WALKWAY
79	THE CITY OF PITTSBURGH	79.00	WALKWAY
80	THE CITY OF PITTSBURGH	80.00	WALKWAY
81	THE CITY OF PITTSBURGH	81.00	WALKWAY
82	THE CITY OF PITTSBURGH	82.00	WALKWAY
83	THE CITY OF PITTSBURGH	83.00	WALKWAY



Orders-Finance
(cont)

191-16. ORDERED THAT: There be and hereby is appropriated the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000), same to be credited to STABILIZATION FUND and charged against AVAILABLE FUNDS.

Hearing

HEARINGS

215-15. PETITION: James C. Pappas, Manager-Alex Developers, LLC to accept Turkey Hill Rd., from Mt. Elam Rd. westerly approx.. 500 ft. to Goodfellow Drive, a circular road at the terminus of Turkey Hill Rd. approx.. 1400 ft. in length as a public way.

TO THE HONORABLE CITY COUNCIL OF THE CITY OF FITCHBURG

Ladies and Gentlemen:

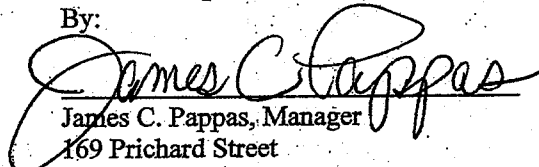
The undersigned Petition your Honorable Body to

- (1) accept Turkey Hill Road, from Mt. Elam Road westerly approximately 500 feet to Goodfellow Drive as a public way; and
- (2) accept Goodfellow drive, a circular road at the terminus of Turkey Hill Road, approximately 1400 feet in length, as a public way.

See the attached diagram.

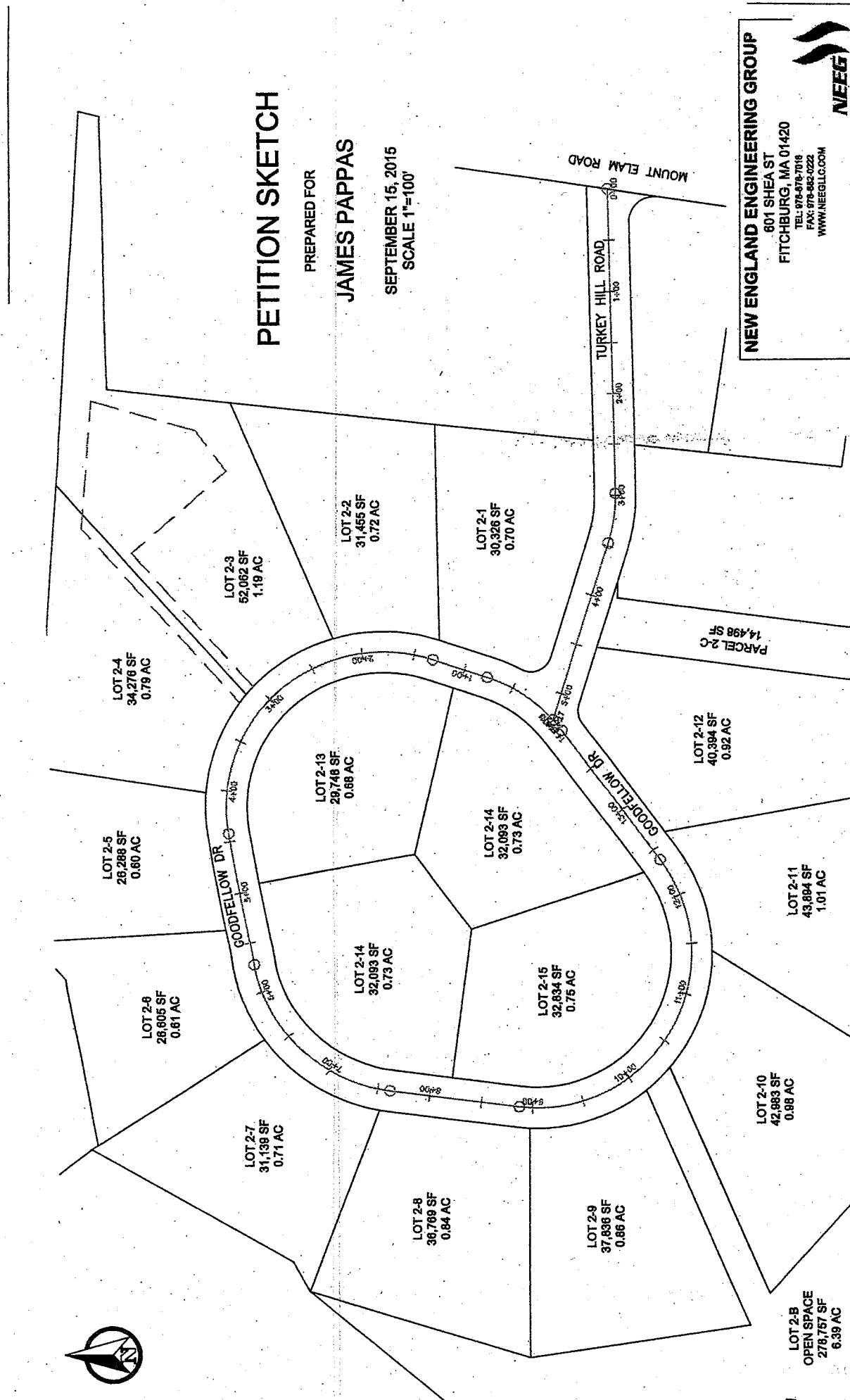
Attorney George E. Watts (978-342-7036) will represent me regarding this matter.

Respectfully submitted,
Alex Developers, LLC
By:


James C. Pappas, Manager
169 Prichard Street
Fitchburg, MA 01420
(978) 235-0505

Date: October __, 2015

15 OCT -2. 09 31
FITCHBURG CITY CLERK



Hearing held. Mr. James Pappas and his wife were present. Councillors noted that the petition was recommended to be granted by both the City Property and Public Works Committees. No one spoke in opposition to or in favor of the petition. Hearing closed and petition granted by unanimous vote. 10 members present. Board consists of 11 members.


Petition

PETITIONS

The following Petition was referred to the Public Works Committee:

192-16. Councillor Amy Green, requesting that the fence sections that are missing on Walnut St. be replaced.

The meeting adjourned at 7:13 P.M.


Anna M. Farrell, Clerk

City of Fitchburg,.....

--	--